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4 October 2022

Mr Sandi Matic
11 Pearson Place
FLOREAT WA 6014
By Email: sandi@konkrethaus.com.au

Dear Mr Matic

Vivien Jit Sien Yap and Anor v Sandi Matic | Supreme Court proceedings CIV 2008 of 2022
Vivien Jit Sien Yap and Anor v Sandi Matic | Supreme Court proceedings CIV 1106 of 2022

We write in relation to the above proceedings. This is an open communication. You should consult a lawyer if you are in any doubt as to these matters.

Preliminary comments

In this letter, we refer to the operation of orders made by the Supreme Court, a Court with jurisdiction to make such orders. You should, by now, be aware of the application of such orders.

For the avoidance of doubt, this letter is addressed to you, Mr Sandi Matic. Despite persistent queries made and arguments advanced by you in relation to the identity of the defendant, including an attempt to draw a distinction between your individual self and a "juridical" person, the orders made in each of the above proceedings apply to you in your personal capacity.

As we (the plaintiffs' solicitors), and the Court have emphasised previously on numerous occasions, you are the first defendant. Neither the plaintiffs, nor the Court, recognise or accept the purported distinction between you ('the living breathing man and natural person') and your 'legally generated entity' or 'trust'. To the extent that you seem to rely on sources such as "thepeoplescourtofterraaustralis.org", the content of that which is entirely worthless.

Permanent injunctions

On 2 September 2022, Justice Solomon:

1 dismissed your application for summary judgment against the plaintiffs; and

2 entered default judgment in favour of the plaintiffs.

We write to set out the implications of the default judgment.

You are permanently restrained and an injunction has been granted restraining you from:

1 attending or attempting to attend at any premises at which the first and/or second plaintiff are conducting and invited public viewing or "home open" in respect to the proposed sale of such premises;

2 erecting signage or any form of public notice of or concerning first and/or second plaintiff at such properties or in respect of the first and/or the second plaintiff's sale of such properties;

3 threatening economic reputational of physical harm to the plaintiffs.

The Court also made orders that you pay the plaintiffs' damages, to be assessed, as well as the plaintiffs' costs of the application for injunctive relief.

We will shortly file with the court the plaintiffs' bill of costs and apply for a taxation (that is a Court review) of those costs. You will be liable for payment of those costs in accordance with the Court's orders.

The plaintiffs will not hesitate to take enforcement action to enforce their costs if enforcement action is required.

Further injunctions

At the hearing on 3 October 2022, of which you had ample notice, the Court made orders in favour of the plaintiffs. These included:

1 interlocutory orders restraining you from publishing any affidavits in CIV 1106 of 2022 and CIV 2008 of 2022 on the internet, any other public notice board, or any other means by which the material would be publicly available and requiring you to remove any already published affidavits;

2 an order requiring you to file an appearance by 10 October 2022. If you file an appearance you may be able to make submissions as to why the Court should not make an indemnity cost against you in favour of the Plaintiffs.

We *enclose* with this letter a copy of those orders.

The Court requested us to emphasise that publication of any of the affidavits in either of the proceedings would constitute a contempt of Court.

If you do not file an appearance, the plaintiffs will seek default judgment for orders restraining you permanently from publishing affidavits in the proceedings.

Consequences of acting in contempt of Court

The rule of law has at its foundation the authority of the Court to make effective orders.

Disobedience of these orders is one manner that constitutes a contempt. Order 55 Rule 7 of the Rules of the Supreme Court provide a range of sanctions which may be imposed by the Court. These include:

1 a power to order the arrest and imprisonment of a contemnor;

2 a power to substantive fines;

3 a power to seize assets.

We emphasise that you are already facing two applications to commit you for your contempt. If you were to disobey these orders it would be at your peril.

Trust funds from sale of Biara Gardens property

We are instructed that the plaintiffs presently hold the commission from the sale of the Biara Gardens property in their trust account.

Now that the proceedings for injunctive relief have been finally determined, we have instructed our clients that they can authorise the removal of the agreed commission from the account.

Yours sincerely

Martin Bennett
Founding Principal

Encl.